

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAFAEL ARDEN JONES,

Petitioner,

-against-

WARDEN CARTER OF GRVC,

Respondent.

25-CV-0233 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

Petitioner filed this *pro se* petition for a writ of *habeas corpus* under 28 U.S.C. § 2241, challenging his ongoing criminal proceedings that are pending, under indictment number 70616-21, in the Bronx Supreme Criminal Court.

On November 6, 2023, because of Petitioner's continuous submission of frivolous petitions for writs of *habeas corpus* under Section 2241, the Court barred Petitioner from filing future *habeas corpus* petitions *in forma pauperis* in this court, challenging his ongoing criminal proceedings arising from the 2021 arrest and pending under indictment number 70616-21, without first obtaining from the court leave to file. *See Jones v. McCormack*, ECF 1:23-CV-8296, 13 (LTS) (S.D.N.Y. Nov. 6, 2023). Petitioner brings this new *pro se* petition for a writ of *habeas corpus*, challenging his ongoing criminal proceedings arising from the 2021 arrest, but he has not sought leave to file from the court.¹ The Court therefore denies the petition without prejudice pursuant to the November 6, 2023 order in *Jones*, No. 23-CV-8296 (LTS). The Clerk of Court is directed to terminate all pending motions in this action.

¹ Petitioner continued filing additional submissions in this action after filing the initial petition. (*See* ECF 4-8.) The Court has reviewed those submissions. To the extent anything in those submissions could be construed as seeking leave to file his petition, the petition must still be denied under the bar order because it is not a departure from Petitioner's pattern of filing frivolous petitions for *habeas corpus* challenging his 2021 arrest.

Because the petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: February 3, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge